

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request:	05/25/06	2 Serial/Patent #	10782,729 10/18/07
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
			6 AMOUNT
	Filing		\$
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<input checked="" type="checkbox"/>	Petition 1462	03/08/06	\$ 400.00
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		7 TOTAL AMOUNT OF REFUND	\$ 400.00
8 TO BE REFUNDED BY:			
		Treasury Check	
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10 REASON:			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME:		Douglas Wood	
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APPROVED:		DATE:  5/30/06	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : John H. Leamon, et al. CONFIRMATION NUMBER : 5560
SERIAL NUMBER : 10/767,779 EXAMINER : Not Yet Assigned
FILING DATE : January 28, 2004 ART UNIT : 1632
FOR : METHODS OF AMPLIFYING AND SEQUENCING NUCLEIC ACIDS

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CHANGE FILING DATE

Dear Sir:

1. Applicants request that the filing date of September 22, 2004 set forth on the Filing Receipt mailed by the U.S. Patent and Trademark Office on October 18, 2004, be corrected to January 28, 2004. A copy of the Filing Receipt (Exhibit A) is enclosed. The statements below are made as to the exact facts that are relied upon to establish that the Application was filed on January 28, 2004.
2. On June 6, 2003, Applicants filed Provisional Application Serial No. 60/476,592 which contains, among other things, Figures 11C and 11D.
3. On January 28, 2004, Applicants filed U.S. Patent Application Serial No. 10/767,779 which also contains Figures 11C and 11D. The USPTO acknowledged receipt of this Application with all figures (41 pages comprising figures 1-42). Patent Application Serial No. 10/767,779 also incorporated by reference Provisional Application Serial No. 60/476,592 on page 1, line 11.
4. On June 22, 2004, the USPTO issued a Notice to File Missing Parts, alleging that the filed application was missing Figures 11C and 11D.
5. On September 22, 2004, Applicants submitted a preliminary amendment which replaced the original Drawings with Formal Drawings. The Formal Drawings included Figures

Adjustment date: 05/30/2006 CKHLOK
03/14/2006 TBESHAK1 00000025 10767779
01 FC:1462 -400.00 OP

Repln. Ref: 05/30/2006 CKHLOK 0011532800
DA#500311 Name/Number:10767779
FC: 9204 \$400.00 CR

03/14/2006 TBESHAK1 00000025 10767779
01 FC:1462 -400.00 OP

11. Accordingly, Applicants respectfully submit that the Updated Filing Receipt mailed October 18, 2004 is in error, and request that the filing date be corrected to January 28, 2004.
12. Pursuant to 37 C.F.R. §1.17(f), a check for \$400.00 covering the petition fee is enclosed. Should any additional fee be due, the Commissioner is hereby authorized to charge such fee, or credit any overpayment, to Deposit Account Number: 50-0311, Customer Number: 35437, Reference Number: 21465-510 UTIL. Because the Updated Filing Receipt mailed October 18, 2004 is in error, Applicants hereby respectfully request a refund of the petition fee. A duplicate copy of this petition is enclosed.
13. Should the Commissioner have any questions concerning this petition, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,



Dated: March 8, 2006

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